

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 3:08CR63

DALIANA MENELEE

ORDER

This cause is before the Court on the parties' Joint Motion for Continuance [48]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

Defendant Menefee and the United States seek a continuance of the trial set to commence on October 27, 2008. In support of the motion, counsel recite their intent to utilize a polygraph examination in an effort to resolve the case without need of a trial. In addition, both parties require time to interview and debrief the two codefendants who entered guilty pleas as the conclusion of a suppression hearing on October 22, 2008. The government has no objection to the requested relief. Based on the foregoing, the Court finds that the parties' motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from October 27, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the parties sufficient time to interview and debrief Menefee's codefendants and to allow the parties to negotiate a resolution of the case against Menefee. Therefore, the ends of justice served by the granting of this continuance outweigh the best

interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The parties' Joint Motion for Continuance [48] is GRANTED;
2. That the trial of this matter is continued until Monday, December 15, 2008 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from October 27, 2008 until December 15, 2008 is excluded as set out above;
4. That the deadline for filing pretrial motions is November 24, 2008;
5. That the deadline for submitting a plea agreement is December 1, 2008.

SO ORDERED, this the 23rd day of October, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE